



Attorney Docket No. 86688/CPK
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Inventor(s):
Thomas M. Laney, et al.

Group Art Unit: 1774
Examiner: Pamela R. Schwartz

TITLE

INKJET RECORDING
ELEMENT AND METHOD OF
USE

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DATE: 5-9-06

Serial No.: 10/722,886
Filed: November 26, 2003

Commissioner for Patents
Alexandria, VA 22313-1450

DECLARATION PURSUANT TO 37 CFR 1.132

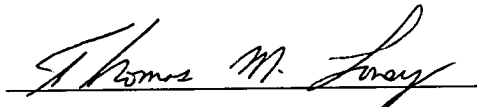
I, Thomas M Laney, am a citizen of the United States of America. I obtained a Bachelor of Science degree in Mechanical Engineering from the University of Clarkson, Potsdam, NY in December 1981. I have worked at the Eastman Kodak Company since March 1986 and am presently a Research Engineer. I have spent my 20 years at Kodak in the research and development of unique polymer films and unique processes for polymer films. A significant part of my effort over the 20 years has been dedicated to the development of unique stretch voided films.

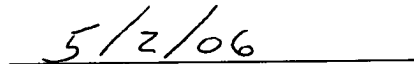
I am a co-inventor of the above-referenced present patent application, as well as a co-inventor of the subject matter of the prior-art reference EP 1 112 852 A2 to Laney et al. cited earlier by the Examiner in the above-referenced patent application.

I have reviewed the rejections of the claims of the present patent application as being obvious over Morita et al. (EP 0 510 998 A2) based on Morita et al. disclosing porous film which is breathable. Although the examples presented by Morita et al. would result in very porous films that would allow high moisture vapor transmission due to some small amount of ruptures in the voids formed, allowing gaseous phase water to pass through at higher rates, it would not result in a substantially open-celled structure that would allow for liquid water (or other solvent)

to be significantly absorbed. Having strived to create such structures for some time, I have found that only at inorganic loadings above 60% by weight and with biaxial stretch ratios of greater than 3.0 X 3.0 can significantly absorptive films be attained with polylactic acid. None of the examples presented by Morita et al. have both these requirements of high inorganic loadings and biaxial stretching. In fact the only example in Morita et al. involving a biaxially stretched film example has an inorganic loading of only 33% by weight. This film would have no liquid absorption characteristics. The essence of the difference between the disclosure by Morita et al. and the present invention is that Morita et al. is disclosing high vapor transmission films while our invention discloses high liquid absorption.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Thomas M. Laney


Date